

MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 1:30pm on Tuesday, February 10, 2015, 281-N of the Capitol.

All members were present

Committee staff present:

Cindy Lash, Legislative Research Department
Martha Dorsey, Legislative Research Department
Maureen Stinson, Kansas Legislative Committee Assistant
Daniel Yoza, Office of Revisor of Statutes
Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Chair Huebert called the meeting to order.

Hearing on: HB2238 — Cowley county; official stone bridge capitol of the state of Kansas.

Chair Huebert opened the hearing on the bill.

Mike Heim, Senior Assistant Revisor, presented a brief overview of the bill.

Representative Virgil Peck appeared as a proponent of the bill. He testified that there will be a benefit of increased tourism. He also stated it would be a help in preserving the current structures. ([Attachment 1](#))

Kerri Falletti, Director of Economic and Community Development for Cowley County, appeared as a proponent of the bill. ([Attachment 2](#))

Donna Martin, a long-time resident of Cowley County, appeared as a proponent of the bill. She testified that the proposed legislation can bring additional tourism to the rural area. She stated that Economic Development in the area is vital since they have been losing population at a rate of about 24 percent over the last ten years. ([Attachment 3](#))

Written testimony was submitted by:

Representative Ed Trimmer ([Attachment 4](#))

Sarah Werner ([Attachment 5](#))

Lonnie Stieben/Elaine Webb ([Attachment 6](#))

Pam Crain ([Attachment 7](#))

CONTINUATION SHEET

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Chair Huebert closed the hearing on the bill.

Hearing on: HB2177 — Voluntary cleanup and property redevelopment act.

Chair Huebert opened the hearing on the bill.

Mike Heim, Senior Assistant Revisor, presented a brief overview of the bill.

Leo Henning, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment (KDHE), appeared as a proponent of the bill. He testified that the proposed legislation allows the Bureau of Environmental Remediation (BER) to modify the regulations for the Voluntary Cleanup Program (VCP) to create a program to efficiently move sites through the VCP cleanup process. He stated that new language in the bill allows KDHE to determine if a public notice is needed based on public interest. He said the bill also allows an innocent property owner to receive a "No Further Action" (NFA) determination even though the responsible party is not in a state cleanup program. He explained that KDHE would be allowed to close VCP sites that pose little risk to human health and the environment based on risk analysis that considers the property and surrounding property as a whole. ([Attachment 8](#))

Randy Stookey, General Counsel, Kansas Grain and Feed Association (KGFA) and Kansas Agribusiness Retailers Association (KARA), appeared as a proponent of the bill. His testimony was presently jointly with Leslie Kaufman, President and CEO, Kansas Cooperative Council (KCC). He testified that the proposed amendments in the bill have the potential to strengthen the program, decrease time and participation costs, encourage greater industry participation, and increase successful program completion rates. He strongly encouraged that the Committee pass the bill out favorably. ([Attachment 9](#))

Jarold Boettcher, President, Boettcher Enterprises, Inc. appeared as a proponent of the bill. He explained the proposed legislation helps them to seek a responsible, a pro-active, and a working model approach towards achievement of a common objective to protect human health and the environment. He stated that he and his company support the bill. ([Attachment 10](#))

Julie Westhoff, Senior Project Manager, Kennedy/Jenks Consultants, appeared as a proponent of the bill. She stated that the proposed legislation allows KDHE the flexibility to address environmentally impacted sites in a manner that is safe for the environment. She explained that it also allows the regulated community an opportunity to conduct a risk analysis of a site with the ultimate goal of closing the site in a timely manner. ([Attachment 11](#))

Written testimony in support of the bill was submitted by:

Charles Brewer, President, GSI Engineering ([Attachment 12](#))

Max Shepard, President, Shepard Engineering, Inc. ([Attachment 13](#))

Paul Clark, President of Allied Environmental Consultants, Inc. ([Attachment 14](#))

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

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Pat Goeke, American Council of Engineering Companies of Kansas ([Attachment 15](#))

Chair Huebert closed the hearing on the bill.

Final action on: HB2165 — Certain improvement districts; procedure for filling vacancies.

A balloon amendment relating to including provisions to the appointment process was distributed to the Committee. ([Attachment 16](#))

Representative Whitmer made a motion to adopt the balloon amendment. ([Attachment 16](#))
Representative Carmichael seconded the motion. Motion carried.

Representative Carmichael made a motion that the bill be passed favorably as amended.
Representative Alcalá seconded the motion. Motion carried.

Final action on: HB2164 — Certain sewer districts; construction contract bid threshold raised.

A balloon amendment requested by Representative Williams relating to raising the threshold for competitive bids for sewer district construction from \$15,000, as proposed in the introduced version of the bill, to \$25,000 was distributed to the Committee. ([Attachment 17](#))

Representative Williams made a motion to adopt the balloon amendment. ([Attachment 17](#))
Representative Phillips seconded the motion. Motion carried.

Representative Williams made a motion that the bill be passed favorably as amended. Representative Phillips seconded the motion. Motion carried. Representative Whitmer asked that his "No" vote be recorded.

Chair Huebert adjourned the meeting.

The next meeting will be held Tuesday, February 17, 2015.